

# Order

Michigan Supreme Court  
Lansing, Michigan

September 29, 2015

Robert P. Young, Jr.,  
Chief Justice

151382

Stephen J. Markman  
Mary Beth Kelly  
Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano  
Richard H. Bernstein,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 151382  
COA: 319039  
Wayne CC: 13-002517-FH

MAHER MOHAMMED NAWWAS,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the February 12, 2015 judgment of the Court of Appeals is considered. We DIRECT the Wayne County Prosecuting Attorney to answer the application for leave to appeal within 28 days after the date of this order. The Sentencing Information Report indicates that the trial court only scored the sentencing guidelines for the defendant's violation of MCL 750.227. "Offense variables are properly scored by reference only to the sentencing offense except when the language of a particular offense variable statute specifically provides otherwise." *People v McGraw*, 484 Mich 120, 135 (2009). The prosecutor shall address whether the trial court erred in scoring offense variable 9, MCL 777.39, based on a finding that two to nine victims were placed in danger of physical injury or death in relation to the defendant's violation of MCL 750.227.

The application for leave to appeal remains pending.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 29, 2015

  
Clerk